

III. REMARKS

In the Office Action, claims 1, 3-4, 11, 21-23, 26, and 28 were rejected under 35 U.S.C.103 as being unpatentable over Isberg (US 6029052) in view of Auvray (US 5564076) in view of Smith (US 5694414) for reasons set forth in the Office Action. Other ones of the claims were also rejected under 35 U.S.C. 103 as being unpatentable over various combinations of the cited art, namely, Isberg, Smith '414, Auvray '076, Smith (US 5796772), Auvray (US 5953641), Duong (US 5511235), Eklof (US 6308050), Heck (US 5483691), and Razavi (RF Microelectronics) for reasons set forth in the Office Action.

The following argument is presented to distinguish the claimed subject matter from the teachings of the cited art, thereby to overcome the rejections, and to show the presence of allowable subject matter in the claims.

It is believed that the teachings of Smith (US 5,694,414) are misapplied in the rejections of various ones of the claims, as may be demonstrated with respect to the rejection of claim 1. The Examiner tries to use Smith (US 5,694,414) to show anticipation for the following claimed feature:

"a gain of said amplifier is set with a program-controlled gain control signal in relation to the radio interface from which signals are received".

But Smith (US 5,694,414) does not disclose that a gain of the common amplifier would be set with a program-controlled gain control signal in relation to the radio interface from which signals are received. Smith says that the preamplifier 203 is

tuned to different frequencies, i.e. that its frequency response is changed. It is urged that this teaching is very different from the practice of the present invention in controlling the gain of the amplifier.

The same argument applies to the Examiner's rejection of the other independent claims 2, 3, 12, 21, 24, 26, 27, 28 and 29. In each case the Examiner cites Smith (US 5,694,414) to show anticipation for the program-controlled gain feature, and the applicant responds by saying that Smith only considers tuning the amplifier to different frequencies, but does not teach a changing of the amplifier gain.

The actual disclosure of Smith (US 5,694,414), in this respect, is not readily understood, because it is not clear, what is the nature of the controllable components in Smith's Fig. 3, which the Examiner refers to. At column 7, line 18, Smith says that there should be a preamplifier 205 in his Fig. 3, but there is none; there is a preamplifier, but it carries a reference designator 203. On the other hand, in column 8, line 44 Smith speaks about an adjustable bandpass filter 203, but Fig. 3 only illustrates an adjustable (or tuneable) bandpass filter 117 and a preamplifier 203. It is possible that Smith means even the tuning feature mentioned above to mean tuning of the tuneable bandpass filter 117 in Fig. 3, which takes the teaching of Smith even farther away from the applicant's invention as claimed.

Another point is that Fig. 5 in Isberg (US 6,029,052), which the Examiner refers to towards the end of page 2 in the Office Action, includes an inherent incompatibility problem with the applicant's invention as claimed. The band-splitter 30 in Isberg's Fig. 5 does not include any kind of switching; it is

only a filter bank that continuously outputs the component signals on each frequency band as long as they were included in the original signal received through the antenna. A band selection function, i.e. a decision concerning which of the component signals is to be accepted for further processing, is accomplished by only enabling one of the low noise amplifiers 34a, 34b and 34d with the BandSelect signal.

Consider the applicant's invention with respect to the following feature, as claimed:

"amplifying of the carrier frequency signal is performed with one and same amplifier for signals received from at least two different radio interfaces" (claim 1, emphasis added).


If the circuit shown in Isberg's Fig. 5 were to be modified by replacing the parallel low noise amplifiers 34a, 34b and 34d with a single, common amplifier, the apparatus would not be able to implement any band selection function at all, but the component signals coming from all applicable radio interfaces would all be present still at the output of the imaginable common amplifier.

It is urged that the foregoing analysis shows that, while the examiner has employed various references to meet various features of the claims, there are still some features of the claims which are not taught in the cited art. Accordingly, the present argument is believed to have overcome the grounds of rejection under 35 U.S.C. 103 so as to show the presence of allowable subject matter in the claims.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Joseph V. Gamberdell
Reg. No. 44,695

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Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

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